Triumphs at Sea During the Revolution and the War of 1812.

BRILLIANT ACTIONS OF YANKEE TARS

Achievements of Jones, Decatur, Barry, McDonough, Perry and Others_Inspiration for the Seamen of Today.

In these days of swiftly sailing ships of war, propelled by steam more rapidly than many a railroad train runs, and carrying great guns the shots from which can pierce the horizon, the history of the achievement of America on the high seas and the lakes comes back with added interest. From the days of John Paul Jones to those of Farragut, relates the New York Mail and Express wherever the American flag has been carried It has been taken with honor to the nation and glory to the Yankee sailors who so loyally have supported it. The names of Jones, of Decatur, of Lawrence, of Perry, stand out bravely and boldly in the history of the warfare of the ocean, while every American treasures with reverence the memories of the gallant old sailing ships, the Wasp, the Constitution (Old Ironsides), the Ranger, Bon Homme Richard, the Hornet, the Essex and Macedonian, as well as Com-modore Perry's little brig, the Lawrence, which was raked fore and aft by the shots of the British fleet during the great battle on

John Paul Jones was the first American to carry the flag of this nation to success on the waters of the world. It is said that it was he who first raised an American flag over a war ship, and that flag never was carried to a distinguished defeat while he stood ready to defend it. Some historians have not given to this rough-and-ready fighter the credit to which he was due, but have endeavored to sully the memory of his achievements by the bald approximent that he was little more

which his adopted country was at war more for gain than for patriotism.

Still there can be no question as to his patriotism and as to his great abilities as a naval commander. With him practically began the navy of the United States, and it was with him that began the form of attack was with him that began the form of attack. on the high seas that in after years was so disastrous to the commerce of the countries American arms was to attack its commerce and destroy it wherever he could do so.

JONES' FIRST COMMAND. It was with this purpose in view that he tionary war as a lieutenant. While on this cruise he brought dismay and desicuction to the manufacturers and sailors of Great Britain by capturing sixteen prizes within the short space of six weeks. His name became one to cause terror in the hearts of the old merchants of London and Liverpool and envy in those of the officers of the British navy, who honestly admired his dar-

It was on the Alfred, in 1776, that he put up the first American flag, it is said, that ever waved from the mast of a truly Ameriman-of-war. This flag bore upon th ground the pine tree, with the serpent ever ready to strike colled at its base. The first American Fourth of July had come and gone before he sailed for the coast of Scotland, there to harass successfully the coasting trade. Previously he had caused consterna-tion among the fishers off Cape Breton by appearing there with his ship the Ranger and breaking up the fishing business for the time being. It was while he was annoying the coasting trade of iscotland that he descerded upon Whitehaven, and later tried to capture the earl of Selkirk, to force Great Britain to an exchange of prisoners o

He humbled the pride of the Englishm by attacking with his ship, the Ranger, the British Drake, although the odds in point of guns, crew and size of ship all were against him. The number of prisoners alone nearly doubled the number of men in his crew. Again the Yankees under him brought low the British scamen, for with the ill equipped and manned Bon Homme Richard he over hauled the British ship Serapis, under Cap tain Pearson, and compelled the surrende after a bloody fight of nearly three hours His own ship was practically a wreck when the British commander struck his flag and surrendered to the gallant Yankee.

THE REVOLUTIONARY NAVY. The navy of the United States did no in reality reach any considerable proportion war of 1812. The Navy department was not officially organized until 1798, when Benjamin Stoddert was made the first sec retary. During the revolutionary war mayal corps, with Esek Hopkins as com-mander-in-chief, had control of the navy. On the 13th day of October, in 1775, the first real official action toward the construction of an American navy was taken by con gress. Two cruisers were then ordered fitted out. In that year also fifteen more ships were provided for, and by the latter part of the year the entire navy of the United States consisted of only twenty-six ships. The Alliance was among the first of the big ships of American make. She was a frigate of thirty-two guns, and

is little less known than the Constitutio and the Wasp. It may be interesting to note here that Captain John Barry of the Lexington captured the first prize during the revolutionary war. This was the British ship Edward. The battle was fought and won, victory hovering over the white sails of the Yankee ship, on April 17, 1777. It was the act of congress of March 27, 1794, that laid the foundation of what after-ward became the American navy. Ther congress authorized the construction of six frigates, and of this small fleet one name, at least, is known throughout the world, and wherever sailor treads the deck of a war ship it is revered with a sailor's loyal rever-

ence. This was the frigate Constitution. The victories of this big frigate have filled pages of history and volumes of stories of the sea. Although a great amount of suc-cess had been attended by the use of the swift sailing whaleboats, which carried a couple of cannon cach and a crew of forty or fifty men, the naval authorities of the time concluded that the big frigate was the type of war ship most likely to sustain the superiority of the American flag on the seas. This was most plainly demonstrated in the little trouble with France at the latter part of the last century.

A BRUSH WITH FRANCE. The depredations of the Frenchmen upon the commerce of the United States had be-come unbearable, so it was determined that a severe lesson should be taught. This was done, and the successes on the sea with the big ships were marked ones. France could not place upon the waters ships or men that were equal to the fast-sailing frigates

manned by the Yankee tars. The war tripoli, which was continued through

term of President Jefferson, brought to the front again the superiority of the American built frigate of the type of the Constitution.

The Essex, the New York, the United Btates and the Philadelphia were also of this type. It was in the war with Tripoli that Decatur came to notice as a brave, daring and intrepid sailor. In the harbor of Tripoli Decatur distinguished himself most gallantly by recapturing the Philadelphia, which had fallen into the hands of the enemy. He did this with a captured Tripolitan ship, which he named the Intrepid. He ran his ship alongside of the former American, and,

UNCLESAM'S NAVAL VICTORIES out of the crew of only seventy men whom COX FILES A HOT PROTEST he was promoted to a captaincy, a sword was presented to him by congress and the was presented to him by congress and the officers and men of the ship received two months' additional pay. Shortly after he led an attack upon the fleet of the Tripolitans and was successful. His captain's tans and was successful. His captain's commission had not reached him at this time. It came to him subsequently, how-ever, and he was made the flag captain of the Constitution.

THE WAR OF 1812.

that was worthy of its bravery and former glory. On the lakes and upon the ocean history was made and achievements hardly second to none known in the conals of warfare were performed. Decatur, Jacob Jones, Isaac Hull and Lawrence on the salt seas, and Oliver Hazard Perry and Captain McDonough on the lakes, carried proudly the stars and stripes. Smell as the American many then was, it gave a glorious account of itself. While the land forces in 1812 had not accredited themselves with any degree of success, some of the ablest of the mmanders of British ships had been pelled to lower their colors to the valor of the American arms. The Constitution, under Captain Hull, silenced the guns of the British frigate, Guerriere, on August 19. The little sloop of war, the Wasp, under Captain Jacob Jones, captured the British brig Frolic. Decatur, on the United States, fought the

great engagement which resulted in the British frigate Macedonian becoming the prize of the Americans; and the Constitution, but now under the command of Captain Bainbridge, defeated the British Java on December 29. The next year brought about additional success to the American seamen. Captain Perry, on Lake Erie, destroyed the British fleet and made certain the recapture of Detroit, which had been surrendered to the enemy. Captain McDonough, an officer who had served well but not conspicuously at Tripoli, under Decatur, annihilated practically another British fleet on Lake Cham-

Before the close of the war the British lost to the Americans the Peacock, Epervier, Avon, Reindeer, Cyane, Levant, Penguis and Nautilus, while the British captured the Essex, the President and the Chesapeake. With the loss of the Chesapeake went to his death the grand sailor who died after heroicsully the memory of his achievements by too bailed announcement that he was little more than a rover of the seas, a privateer who preyed upon the commerce of the nations with which his adopted country was at war more for gain than for patriotism.

this message:
"We have met the enemy and they are ours-two ships, two brigs, one schooner and

one sloop." Captain Decatur's career as a naval offices did not end with the declaration of peace in the last month of 1814, but early in the which had attacked us. Jones believed that the surest way for bringing a nation to a realizing sense of the importance of the merce of the United States during the second war with England. It was only forty days after he set sail with his ships that the dey of Algiers signed a treaty with Decatur sailed away from the United States in the sloop Providence for the Hermudae. This was his first full command, although he enlisted in the navy at the outbreak of the revoluand William Shaler, the American commis for the attacks upon commerce and compelled to liberate all of the American prisoners.

FUNERALS IN CUBA.

Strangely Wierd Sights in the Cemeteries of Havana.

The custom of burying the dead is per-Last Sunday, while out to the Cemeterio de Colon, where the Maine victims are interred, a visitor counted 112 coffins enter the main gate inside three hours' time. Thirty of these were carried there in dead wagons of the Alfonso XIII and San Ambrosio hospitals and among them were ten cases of smallpox, the average deaths from the last named disease during the last few weeks being 303. The records kept by the United States sanitary inspectors stationed show that the average death rate is 61/2 per cent, or equal to that of the whole state New York. Havana has a population 250,000. This statement is show what a busy place the Cemeterio de

There are two degrees of funerals, usually the very poor or the most gorgeous. Span-iard or Cuban must be in very straitened cir-comstances indeed when he has to dispense with the services of a hearse, and many did last Sunday. The cemetery is on a hill, a really fine site, and, so far as its elaborate and expensive ornaments are concerned, ap-proaches the magnificence of either Greenwood or Woodlawn. The hill is steep, and was quite dusty the day mentiqued, and the temperature was about 78 in the shade. All-together about sixty bodies were carried up he hill to the big gates without the custo mary formalities of a hearse, or even a car

The majority of the coffins were white and contained the bodies of children, and in moscases these coffins were slung with an ordinary clothesline with four dangling ends which were held by the relatives, who walked far apart that the comin at the other end of the taut rope might not bang against the ground more than was necessary. Many of the mourners were in their shirt sleeves and hatless, having walked from the city, severa miles distant, in that rig; but all smoked long cigars, for this is the city where even the women smoke cigars as long as a man's middle finger in the street, and where there la an unwritten law that it is perfectly proper to walk into the presence of even a king with a cigar, the longer and blacker

the better, between one's teeth.
Such a jangling and hubbub as this coat less and hatless brigade went up the hill Grief was unknown and the tiny white coffins bobbed up and down between the quarter of conveyors as the four ends of the tightened or were temporarily released. Far ther down the hill came four other men, car-rying on their shoulders, as the perspiration fell in great beads from their brows, the body of a man, a Cuban, who had left be-hied six orphan children. Hatless and coatless was this brigade too, but clouds of to bacco smoke arose above the coffin between times that the jargon and banter ceased. At the heels of the casket walked a dozen or more men, these, too, in sleeves, but all puffing away for dear life at the cigarette or

cigar. A few hundred feet behind these palibear-ers and "mourners" came a solitary man with a white coffin slung under his avm. He wore hat and coat, and while a cigar was stuck in h's mouth, it wasn't burning. He talked to himself as he went along, and had every indication of one who was sad. Right behind him came a woman, an old woman, with broken shoes and wrinkled face, and at her side, fastened with ropes in such a way as to form a hand grip, she carried another white coffin-carried it much as the colored

porter in a hotel would carry a satchel.

Another brigade of coatless, hatless, but not smokeless, men, with an adult coffin on their shoulders and a merry laugh on their blustering lips, went by, and then along a man and woman wheeling in a wheel-barrow two infant coffins. They were silent, silent as the little lips beneath the unin scribed coffin lids. The man rolled a cigar ette between his fingers, rolled it nervously, and went along like one in a dream. On came the hearseless dead, one, two, three, now a dozen, and amid the clang of the mournful bell they turned into the cemetery, and then fathers dug the graves of their own children, husbands those of their wives, brothers those of their sisters, not a tear. not a pang! It was the good, old way of

These are poorer funerals. The burials of the rich are attended by long trains of car-riages and the hearse is decorated in the most astonishing gaudy colors, chiefly red and yellow. The driver of the hearse, with the assistant who site alongside him, is decked out in scarlet coat and knickerbock-ers, and a cocked hat of the same color. In fact, he looks more like an English admiral except for colors, than an undertaker. None before the enemy could recover from the surprise, the ship was brilliantly burning.

By the aid of the light he sailed the intrepid and of the harbor. Only one American sailor so at a time by relatives and friends.

Chief of Detectives Points Out a Wrong Needing Correction.

COMPLAINS OF AN ABUSE OF POWER

Writes to the Chief About the Confiscation of Articles from the Police Relief Asso-

ciation.

There is dissension among the members of the Metropolitan Police Relief association over the alleged confiscation of stolen property by certain officials of the department for their personal use. The charge is made that the fund of the organization is constantly suffering on account of the alleged system of appropriation which is said to have been adopted, and that a certain clique of officials are profiting thereby. Protests have been filed against this method of conducting the affairs of the association with Chief of Police Gallagher and Captain Haze, president of the organization, with the re-sult that the breach between certain branches of the police department is wider than ever

Members of the association who are complaining of alleged violations of the law governing the fund of their organization say that much stolen property which comes into the possession of the department through recovery from thieves and "fences" is ap-propriated by individual officers without reference to the propriety of the confiscation of regard for the welfare of the association, whose finances must necessarily suffer under such circumstances. Under the rules of the department property of every variety, when not claimed after six months from the date of its recovery, must be put up at public auction and sold to the highest bidder for the benefit of the association's fund. This rule is said to be now observed almost as much in the breach as in its enforcement. With reference to these alleged imposi-tions upon the association. Chief of Detec-tives Cox recently brought to the attention of Captain Haze, president of the association,

test, sent to each of these officials:
"I have the honor to call your attention to the fact that some of the stolen property recovered by Detectives Hudson and Sullivan from the house of Jane Anderson, on December 20, 1897, towit: One yellow horse blanket, is now in the possession of one of the officers, Captain P. Mostyn, who is using it as

to its board of directors and to Chief Gal-lagher, a case in point in the following pro-

his own personal property.
"The laws of the state of Nebraska pro vide that all unclaimed stolen property re-verts to the Metropolitan Police Relief association, the same to be sold and the fun created by the sale of the same to be used for the benefit of sick and disabled policemen, or their widows and orphans. I would protest against the unlawful appropriation of the property of the association for the use of any individual who may see fit, and would respectfully inquire by what authority, if any, it is being done.

CHIEF GALLAGHER'S REPORT. Chief Gallagher replied to this communication a few days after its receipt, saying that Captain Mostyn consulted with the officers of the association before taking the blanket in question and asked their permishaps one of the most striking features of the city, writes a correspondent from Havana to the New York Mail and Express. regular that he would bid on it when the annual sale occurred and pay as much or more for it than anybody else. The chief's reply reads:

> 'I noticed that all woolen and cotton ticles that had been kept in the captain's room at the central station for the last sale had been moth-eaten and became worthless and thus were of no benefit to the associa tion, and this blanket undoubtedly have shared the same fate. I think that Captain Mostyn's course in the premises was entirely open and honorable, and that the officers of the association exercised good, common sense in consenting to his proposi-tion. I hope that your motives in making this protest were in the interest of charity and discipline, but your past relations with Captain Mostyn would indicate otherwise I think that if this spirit of venom, hatred and revenge could be banished from the minds of all officers of the police department it would add very much to the efficiency of the police force. A man holding your responsible position should have a mind above all small revenges and spites. know that I have treated you fairly and yet you spend the most of your time both day and night in trying to discredit me and destroy the harmony that should exist in all

vell-regulated police departments." No time was lost by Chief Cox in reply ing to this letter. He wrote to Chief Gallagher that with reference to Captain Mos-tyn's possession of the blanket he would simply refer the chief to the laws of the covering the disposition and use of such property. He had in no way impugned the motives of Captain Mostyn or any other person with reference to the same, and his motives were not to be called in question so long as he had simply referred to propenforcement of the law in reference to prop erty in which he had a personal interest,

COX'S REJOINDER. "I agree with you heartily," added Chie Cox, "that if the 'spirit of venom, hatred and revenge could be banished from the minds of all officers of the police department it would add very much to the efficiency of the police torce." I further agree with you that 'a man holding your sible position should have a mind above all small revenges and spites,' but I would me respectfuly suggest that there are others of whom the same could be properly said.

"I have not complained of your treatmen of me, nor, for that matter, of the treat-ment I have received from anybody else and I most emphatically state that if you my that I spend most of my time both day and night in trying to discredit you and destroy the harmony that should exist it all well regulated police departments you have been misinformed. I have no knowledge that I have ever in my life willfully disobeyed the lawful orders of my superior officers, or neglected to perform my duty in any respect whatever, and when the time comes that I cannot respect and obey superior officers you may rest assured that you can have my resignation.

"It is very distasteful to me to enter into personal controversy with any one, but when I made an inquiry with a view to hav ing my interests protected, as well as the interests of others, in the matter of the property of the Metropolitan Police Relief association, of which I have the honor to be a member, it seems to me entirely foreign to the issue that my motives in the matter should be called into question."

DIRECTORS' EXPLANATION. About three weeks from the time that the protest was filed by the chief of detectives he received a reply to it from Sergeant F. J. King, secretary of the association, in rela-tion to its disposition by the board of directors. He stated that at a meeting of the directors he was instructed to inform Chief Cox that "the full explanation given by President Haze and Director Sigwart as giv-ing their consent to the use of the blanket in question was approved by the board," and that this approval was in substance as follows: "On account of the condition of all goods of like nature and woolen goods when taken from the room for the last sale that they were almost entirely ruined by moths, Captain Mostyn had been allowed to use the blanket. The facilities for sto to bid the blanket in at the next sale it is thought for the best interests of the associa-tion to approve the action of the president and Director Sigwart in the premises."

Only One Person Hurt. COLUMBUS, O., Marsh 24.-It is officially stated here that no person except the fire-man was injured in the Baltimore & Ohio washout accident yesterday. The fireman was only slightly hurt.

BOSS WOLF HUNTER OF DAKOTA. CITY MAY ORDER THE PAVING Makes a Business of Trapping Them

for the Scalp Bounty.

BISMARCK, N. D., March 24.—(Special.) characters in the western part of this state is Ben Corbin of Giencoe, Emmors county, known all over the state as the "boss wolf hupter." Corbin has made a life study of wolf trapping, and as a result has caught more wolves than possibly any other hunter in the northwest. He is accustomed to com-pute his season's catch by hundreds, and an the bounty on the animals range from \$

the bounty on the animals range from \$3 to \$5 a head, according to the county in which they are caught, he makes a good living at wolf trapping alone.

Corbin is a Virginiam by birth, and has been a hunter and trapper all his life. In addition to his duties as a wolf hunter, he keeps a small store and a sort of irm or half-way house, where settless en route to town may stop over night. Every season, when the wolves give birth to their young, he is early on the trail of the animals, and in a territory of twenty-five square miles he manages to keep the young ones pretty well manages to keep the young ones pretty well cleaned out. The old ones he does not often touch. His reason for sparing them is a selfish one, and yet natural. He says: " have practically all the wolf dens in my lo-cality spotted, and know where to find them every year. The litter of a female wolf ranges from five to nine wolves, and as I catch the whole litter every year, each female wolf is worth \$25 to \$30 a year to me, as I get \$3 each for the young wolves. If I kill, the old ones I derive myself of this revenue." This is the argument that Corbin makes to the county commissioners and the state for a larger bounty on old female wolves. He says if a bounty of \$10 each were offered for the old female wolves, they would be killed, where at present they are spared by the wolf hunters out of considera-tion for the revenue they bring in the shape of young ones. In the last nine years Corof young ones. In the last time years Cor-bin has kept an account of five old wolves in the territory over which he has hunted, and he says he has received nearly \$1,000 in the shape of bounty on the young they have produced. This he calls reducing the wolf bornty business to a science.

Corbin's method of catching young wolves one which he devised himself, and which, so far as known, is employed by no other welf hunter in the state. The ordinary methods of killing the animals is by shooting them, by poisoning them and by hunting them with dogs. But all of these methods are open to objections. Poison is no longer a favorite method, for the reason that the wolves after a time become suspicious and refuse to touch the poison that is set out for them. There is also the objection that the polson becomes scattered over the grass by the rain and wind and cattle eat of the pol sched grass and die. Shooting the wolves is difficult, for the reason that the animals are wary. Hunting them with dogs is excellent sport, but unprofitable occupation for the professional wolf hunter, for the reason that the catches average at best only one or two wolves a day. Corbla's method overcomes all these difficulties and objections and is as simple as A B C. He catches the young wolves with fishhooks and a steel line, and has been known to land eight young wolves on the same line in one night

The wolves live in dens in the earth after the manner of budgers, except that the dens are larger. When Corbin locates a den he waits until night and then brings his fishing line and hooks into play. The steel line is fastened to a stout stake driven into the ground and is then carried beneath the soil through the region immediately about the den. From the main wire are numerous smaller wires projecting in all directions, to the end of each of which is a spring habhook. These hooks are baited with goodsized pieces of chicken breast or other tempt-ing morsels of meat, and the plant is then left over night.

night to prowl about in search of food, the first things they encounter are these scattered bits of meat. The wolf is a ravenous animal young ones attack these bits of meat and swallow them, snap goes the bolted spring hook, and the wolf is fast. Every effor made by the wolf to get away adds to th pain inflicted by the hook, which has foun odgment in his stomach or throat, and he oon learns that absolute quiet is the bea method under the circumstances. Not infre quently Corbin returns to the den in the norning to find every one of the young volves caught on the spring hooks. The iteel wire prevents their biting it in tw and escaping in this fashlon, and as th inimals are all securely fastened, it is no lifficult task to knock them on the head with a club, take their scalps and leave the bodies

or the buzzards. This process is repeated at every den which may be discovered by the hunter, and sel-com without success. Hundreds of young wolves are caught every season, and their scalps brought in for the bounty. The same ground is gone over every season, with the same results, and Corbin annually pockets hundreds of dollars as the result of his in He has endeavored to have the fichbook and line patented as a means of catching wolves, but the patent office does not consider an old device patentable as ap plied to a new end, and he has been unabl secure a patent.

Corbin makes some calculations number of wolves in the western part of the state which are startling to stockmen. He claims that, from the number of wolves he has caught on twenty-five equare miles of territory, if the same number exists on every other equal section of territory, and it is reasonable to suppose there is, there are 300,000 wolves in the western part of the state, and the annual damage they do to cattle and all stock interests is enormous. But so long as the bounty is the same of wolves as on young, he says the wolf hunt ers will content themselves with killing as many young wolves as they can, without barming the old ones, and there will be no perceptible advance made in the diminution of the original number of wolves.

CLEVELAND, O., March 24.—Judge Neff in common pleas court, today rendered his decision in the case of Frank de Haas Rob-inson against J. J. Shipperd and the Cleve-land City Railway company. The court held that a referee should be appointed to determine how much spurious stock was overissued by the directors of the road an overissued by the directors of the road an to whom; that the directors should be er joined from issuing any more treasur stock. "It appears," said the court, "that the directors of the Coasondated Improvement company overissued \$209,000 worth of stock; that there was sold 4.277 shares an 4,000 shares that were pledged to M. A Hanna and others, but for what amount of indebtedness does not owner. I am di-

indebtedness does not appear. I am dis-posed to think the evidence does not estab-lish any frauds as applied to the shares sold, and those pledged as indemnity, even though overlssued, without authority of the directors." No Longer Mrs. Lieutenant Pague LANCASTER, Pa., March 24.—Saral Gosler Pague, wife of Lieutenant Samue Gosler Pague, wife of Lieutenant Samuel S. Pague, late of the United States army, was granted a divorce today, the proceedings being the outcome of the attempt of Pague to kill Colonel Crofton at Fort Sheridan, Chicago, in 1895. Pague, on entering his home, found the colonel there, and drawing his revolver, fired two shots at him, neither of which struck him. He accused his superior with undue intimacy with his wife. Pague was court-marilaled and dismissed from the army. Mrs. Pague came to this county, her native place, and instituted proceedings for divorce with the above result. She stated that at the time of the shooting Colonel Crofton came to inquire about the condition of her husband, who was under arrest for drunkenness.

Jockey and Horseman Ruled Off SAN FRANCISCO, March 24.—The Chronicle says: Eddie Jones, the jockey, and Ollie Johnson, a former trainer of horses, are ruled off the turf. This announcement was made by the Board of Stewards after a five hours' seasion last night. The suspension against H. M Mason, the trainer of Lobos, was upheld and the Board of Stewards will go still further and will rule Mason off the turf, as they are convinced that Lobos was twice run at Ingleside for the purpose of getting allowances at Oakland. In fact, the stewards are in possession of a letter from Mr. Carpenter of Chicago which is very incriminating against Mason. SAN FRANCISCO, March 24.-Th

One of the most picturesque and interesting Power of the Council Upheld by the District Court.

> JUDGE FAWCETT SUSTAINS THE CHARTER Denies the Injunction Asked to Pre-

vent the Improvement of Seven-

teenth Street from Harney to St. Mary's Avenue. Under a decision of the district court

handed down by Judge Fawcett the city of Omaha is authorized to pave Seventeenth street from Harney to St. Mary's avenue, notwithstanding the objections of the property owners along the line.

In September, 1897, the city council, by ordinance, declared the necessity of paving Seventeenth street from Harney to St. Mary's avenue and took the necessary steps to complete the work. Herman Kountze, executor of the estate of Elizabeth Kountze, applied to Judge Keysor, who was then upon the equity bench, and secured a temporary order. When Judge Fawcett went upon the equity bench the case was passed to his docket and was argued some time ago, but a decision was not handed down until now. In passing on the case the judge holds that the city can order the work, sustaining the contention of the Savannah line and El Paso of the Morthe city on every point. The temporary re-straining order is dissolved and a permanent injunction is denied. It is likely, however, that the case will go to the supreme court for a final adjudication, as the attorneys for the plaintiff tiave given notice of appeal.

On the trial of the case of Kounize as executor the attorneys for the plaintiff took the position that the provision of the city charter

granting the city council authority to order street improvements within a radius as in violation of a provision of the constitu-tion of the United States, which prohibits taking property without due process of law. They cited the fact that outside of the 3,006 feet limit it is necessary to secure a majority of the frontage before carrying on any public work, and upon this point they argued that if the council lacked absolute authority to order improvements outside the limit there was no law that would permit the imposing of a tax within the limit, providing the property owners objected to the making of the improvements. They held that such a law gave cer tain property owners certain advantages over others and consequently was bad legislation. In passing on the case Judge Fawcett held that the provision of the charter could not be construed as class legislation. He also held that it was necessary to give the coun-cil more authority over property inside the business portions of the city than in the rural districts. In this connection he cited the fact that the council had the authority to establish fire limits and designate the class of material to be used in buildings and sidewalks within such limits, and that this authority had never been questioned. He further held that the giving to the coun-

If the city had to wait until it could so cure the consent of interested property owners, it would result in poor streets and sidewalks, as certain property owners would frequently and upon slight pretext preven making of such improvements as would be an absolute necessity.

cil of this authority was a wise provision of law and that it would be unwise to have

a provision that would prevent the city from

naking improvements in the heart of the

James Whelan secures a judgment agains

Special Officer Mulhall, employed by the Hoagland Lumber company, but he does not get enough to make him very rich, as the jury has awarded him but \$1 on his claim or \$2,000 damages.
William Mulhall has been employed by the

Hoagland Lumber company for a number of years. He has been a watchman and has always been clothed with the power and authority of a special policeman. Some months ago as he was patrolling the yards, James Whelan and some friends attempted to pass through the yards one night. Mulhal stopped them and requested them to turn oack and follow the street. Whelan abusive and resisted, whereupon Mulhall took hold of him and escorted him out of the yards and to the street. This angered Whelan and shortly afterward he sued Mulhall, alleging that his feelings had been damaged to the extent of \$2,000. came to trial before a jury in Judge Dick inson's court and after hearing the evi dence, the twelve men found for the plain tiz and assessed his damages at \$1, which by the way, carries the costs of the action

Estate of Henry Wordeman. Proof relating to the conduct of the affair of the estate of Henry Wooleman, deceased, is attracting the attention of County Judge Baxter. Henry Wordeman died in 1884 and ieft a widow and two young children. His brother, Guetavo Wordeman, was appointed administrator of the estate and guardian of the children. Years passed and he allowed valuable property in South Omaha to be sold for taxes. When the deed was issued he took it in the name of his wife. In the district court an action was brought to se the transfer aside, fraud being alleged. The proof in the Wordeman case in the ounty court shows that Gustave Wordema collected all of the rents and profits of the South Omaha property, but did not apply the money in liquidation of the debts of the es tate, nor did he apply it toward the sup port of his nephews.

C. G. Hosmer, charged with forging n merous checks upon salocus and chop house has been found guilty, and has been re-manded to the county jail to await sentence L. S. McGucklin has filed his answer in the sult brought by the Pabst Brewing company Instead of owing the company, he says tha it owes him \$2,000 damages sustained to

Hearing on the claims ugainst the estate of Anthony J. Drexel was postponed until March 28, Drexel was a Philadelphia mil-lionaire, who died some three years ago. He owned a number of lots in this city. The claims filed here aggregate \$300,000.

The case of the State against Allie Gordo is on trial in the criminal court. The de-fendant is charged with breaking into a clothing store and stealing property of the value of \$38. Gordon denies the charge and says that he was many miles from Omaha when the crime was committed. Alex Schlegel has sued the city of South

\$5,000 alleged damages, sustained by reaso of personal injuries received. The plain-tiff fell into an open ditch and contends that thecity is to blame by having failed place signal lights along the excavation. In the case of the State against Harry Jones, charged with stealing Charles M. Branch's diamond ring, valued at \$150, the jury has been unable to agree and has been

discharged. At the time of taking the prop erty Jones was drunk, and for this reason centain of the jurors questioned his liability James Douglas, said to be wanted in Okla homs, has secured a writ of habeas corpus that gives him his liberty until the case can be finally passed upon. Douglas was arbe finally passed upon. Douglas was ar-rested by the police on instructions from an Oklahoma officer and was being held un-til his arrival. The prisoner went before Judge Dickinson and upon making his showing, the writ was granted.

Wants a Conveyance Set Aside. Matthew Cullen of Salt Lake City has brought suit in the United States court against Simon J. Lonergan and others of Broken Bow. Neb., to set aside conveyances of certain property which it is alleged was transferred to escape a judgment for \$11,-545 to held by the plaints.

ORDERS TO ENLIST LAKE SAILORS. EDWARDS WILL TRY AGAIN Board Will Open Recruiting Stations

for the Purpose.
CHICAGO, March 24.—Lieutenant Simon Cook, U. S. N., in charge of the Chicago branch of the hydrographic office, received orders from Secretary Long today to proceed to St. Paul, Minn, Monday and begin enlisting lake sailors for general service in the United States navy. No limit has been placed on the number to be enrolled, Lieutenant Cook will meet the other members of the enlisting board in the Ryan hotel, St.
Paul. The other members of the board are
Dr. Walter A. McCurdy of the medical examining board and Chief Engineer Robert G. Denning of the Newport training school There will also be a boatswain, but he has not been named. The medical examiner and engineer will come from New York. Secre-tary Long, in his communication today, directs that the board go from St. Paul to Milwaukee, Duluth and other cities on the lakes. In each place a rendezvous will be established and opportunity given every patriotic sailor to get on the government roll. The exact itinerary has not been de-cided upon. Secretary Long orders Lieutenant Cook to send the enlisted men to the receiving ship Vermont. From the Vermont the sallors will be transferred to the government vessels as circumstances require.

GOVERNMENT BUYS A STEEL TUG. Negotiations Are Pending for Other Similar Craft.

NEW YORK, March 24.-The board appointed to select merchant vessels for the use of the United States navy resumed its scenious. The eteamers Tallahassee of gon line were examined.

The negotiations between the Morgan Towing company and the government for the sale of the steel tug Dewitt C. Ivins, were concluded today. On receipt of a dispatch from Washington this afternoon, the naval auxiliary cruiser board took possession of the tug and proceeded to the eavy yard where it was formally turned over to the government

The price paid by the government for the of 3,000 feet of the court house was in the nature of class legislation and was a violation of the provisions of the organic act of the state, as well and the office of the Morgan Towing company that the auxiliary board is negotiating with the company for the purchase of the P. H. Wise and the R. C. Veit, sister tugs to the DewEt C. Ivins.

> Blue Jackets Start for Philadelphia. NEW YORK, March 24 .- About 150 blue lackets from the navy yard have left for Philadelphia in charge of petty officers. It is understood the men are for the Columbla and Minneapolis, now at the League island navy yard.

PENSION FRAUDS ARE UNEARTHED. Said to Be the Greatest in the United

PROVIDENCE, R. I., March 24.—Pension frauds, said by the investigating agent of the pension department to be the greatest ever known in the United States, have been discovered in this city.

Two arrests were made Monday, and fifteen other warrants have been sworn out against claim agents of this city and vicinity, and others charged with perjury and uttering forged checks or pension vouchers.

The amounts fraudulently secured will reach in the aggregate many thousand dollars. In one case alone \$15,000 has been

Those already arrested are William J. Garrett, a cigar store clerk, and Cornelius Dvaper, who has no employment. Garrett is charged with uttering forged checke, or writing his name across the back of pendor vouchers as a certifificate that he witnessed the signature of the pensioner on the face. Draper is charged with swearing false wit former secured ball. Both are held in \$5,000 each.

SALISBURY IS NOT TO RESIGN.

Foreign Office Denies the Report in London Papers. LONDON, March 24.-The foreign office has issued a statement to the effect that there is no truth whatever in the statement made by the Daily Chronicle today that the long cabinet council on Monday was called to consider an intimation from the

marquis of Salisbury of his desire, acting under medical advice, to resign from the premiership and the foreign secretaryship. The marquis of Salisbury, it is announced, is very much stronger and in better health and starts for the Riviera on Saturday. CABINET AUTHORIZES A LOAN.

Bank of Spain Guarantor for 200,000, 000 Pesetas. LONDON, March 24.-A special dispatch from Madrid says the Spanish cabinet de-

cided yesterday evening to create treasury bonds to the amount of 200,000,000 pesetas upon the guarantee of the Bauk of Spain. The London agents of the Bank of Spain say they have heard nothing to confirm this statement and they add they would undoubt-edly have heard of it had it been a fact. British Officer Called to Washington

HALIFAX, March 24.-Captain Kent of the Royal engineers, who for years has been at the head of submarine mining operations in Halifax harbor, left for Washington this morning, having been summoned thither by telegraph by General Montgomery Moore commander of the forces in British North America, who is visiting Sir Julian Paunce fote, the British ambassador at Washington

LONDON, March 24.—It was reported the lobby of the House of Commons today that France had finally admitted the ac-Sokoto, West Central Africa, last month, which had been formerly denied. It is understood that the admission was accompanied by explanations, and by an expression of regret.

Crispi is Indignant. ROME, March 24.-Signor Crispi is greatly incensed at King Humbert and the higher authorities for not interfering to protect him. It is reported that he resigned his seat in the Chamber of Deputies tonight with the intention of appealing to his constituents to decide whether he is still

worthy to remain in Parliament. St. Paul Bank Closes Up. ST. PAUL, Minn., March 24.-The Bank Merriam Park failed to open today on account of the time check fraud. The bank's capital is \$30,000, which has been reported to have been invested in the Southall government time checks to the amount of \$30,000. The bank is located in Merriam park on the edge of town, close to Minneapells, and cleared through one of the neapins, and cleared through one of the larger banks in the city, but yesterday the Clearing association refused to pass if and the closing today resulted. When the Southall matter came up it was stated that H. M. Crosby of the Bank of Merriam Park was a heavy loser, but that the bank was clear. Later developments, however, showed that the bank was also heavily involved.

the bank was also heavily involved. Foreclosing on a Coal Company. FORT SCOTT, Kan., Merch 24.-James J Hall of this city, the Bank of Fort Scot and Mrs. Heath of Pontiac, Mich., preferred creditors of the Durkee Coal company, to-day filed suit for the foreclosure of their mortgages, aggregating \$5,000, on the com-pany's property in Kansas City and Chero-kee and Crawford counties. The petition asks for the appointment of a receiver and it will be presented to the federal court of appeals at St. Louis at once.

Brown Held on Suspicion John H. Brown has been arrested as a suspicious character. Saturday night a horse and buggy belonging to Gust John son of North Omaha was stolen from in front of a store on Sixteenth street and taken to Council Bluffs, where it was recov-ered from the party to whom it had been sold. Brown is supposed to be the thief, and he will be held for identification.

City Treasurer Gets Another Chance at the Financial Market.

READVERTISES THE FUNDING BOND ISSUE

Bernard Thurman & Co. Flatly Res fuse to Take Their Purchase and the City Moves in Self-Defense,

Bernard Thurman & Co. have finally entered a definite and positive refesal to accept the refunding bonds and City Treasurer Edwards has readvertised the issue, the bids to be opened at noon, April 5. In reply to the city treasurer's telegram of yesterday the New York firm has telegraphed: "By advice of our attorney we refuse to take the bonds, as they are not legal in his opinion, and we refuse to be held responsible further."

Immediately on receipt of this telegram the advertisement for the second sale of the bonds was prepared. In this case a copy of the section of the charter which authorizes the bonds will be added to the circular sent out to the various bond buying establishments in order to correct any impression that the action of Bernard Thurman & Co. may create in quarters where the circumstances are not known. There have already been enough assurances from prominent firms to indicate that there will be a lively competition for the bonds in spite of the efforts of the syndicate that has

been working against the city. Acting on the advice of City Attorney Connell certified checks on an Omaha national bank will be received as deposits as heretofore. The attorney says that the certified checks are perfectly good and can be collected in spite of the recent refueal of the First National bank to honor the McCague check, Bidders that are so disposed may make their deposits in the form of cash or cashiers! checks.

City Treasurer Edwards has received a letter from the publishers of the Daily Bond Buyer, in New York, asking for detailed information in regard to the experience of the city with Bernard Thurman & Co., in the recent bond deal. The matter was given considerable prominence in two recent is-sues of the paper. Among other things the Bond Buyer states that inquiry among the leading bond firms of New York falls to dis-cover any one who knows of such a firm. Thurman formerly did a small business in Chicago under the name of I. B. Thurman & Co., but he is not known in New York.

In regard to the talk of a pool to bear the Omaha bonds the paper suggests that a "pool" is not usually formed for such a purpose. It suggests the opinion that the rouble in Omaha has been caused by a "plunger," which it defines as an irrespon-sible individual or firm that bids wildly on any sort of bonds, hoping to effect a sale at an advance before he is called on to pay for the delivery of the bonds. In the event of failure to accomplish this he escapes re-sponsibility by repudiating his bid.

In one of the editorial comments the Bond Burer scouts the idea that the city agreed to have the bonds engraved and registered by the United States Mortgage and Note mpany subsequent to the sale. It asserts that this would increase the selling price of the bonds from 2 to 3 per cent. City Treasurer Edwards says that this is news to him but if it proves to be a feet he should cer-tainly favor having all Omaha ands registered by that firm.

TRANSFER DEEDS READY TO SIGH. City and School District Will Swap Lots Soon.

The deeds conveying the Dodge school property to the city and the city lot at Ninth and Howard streets to the Board of Education are ready to be signed by Mayor Moores and President Jordan and Secretary Gillan of the Board of Education, The abstracts have been prepared and are satisfactory to the attorneys both bodies. The abstract of the Do school property is very simple. Aside f Aside fron one or two tax liens that have been attached at various times the document merely shows that the property passed from the United States government to the City of Omaha and from the city to the Board of Educa-tion. It has been in the uninterrupted possession of the board for twenty-five years. The title to the city lot is somewhat more complicated, but as the right of the city to the property has been settled in the more than the statutory limit there is no

question in regard to it.

A settlement of the difficulty between the city and the owners of the Elkhoro Valley property, which grew out of the decision of the city not to carry out its intention of acquiring the property for jail purposes, was agreed on at an informal meeting of the city council held at 4 o'clock yesterday afternoon. The owners of the property put in & proposition in which they demanded \$750 damages in addition to the commission of \$600 which George P. Bemis was to receive for the sale of the property. This was objected to by members of the council, contended that the amount was too high, and after a long discussion it was agreed that the city should pay \$1,000 in full satisfaction of all demands.

Considerable stir was caused at the Union depot by the loss of a value belonging to depot by the loss of a valise belonging to Delia Pino, an actress who was in Omahay en route to Minneapolis. Miss Pino left her valise in the waiting room while she went to check some baggage and when she returned in about five minutes it was gone. An officer noticed a large, red-faced many who had been sitting by Miss Pino board a train for South Omaha, and he immediately telegraphed to have the train searched when it arrived there. Meantims Miss Pino left for Minneapolis despairing of ever finding the valise, which contained some jewelry and letters of importance. The search at South Omaha, was successful. The large man had the valise and said that he had pleked it up by mistake, so he was not arrested. not arrested.

Court-Martial at Fort Crook General Coppinger appointed a general court-martial to meet at Fort Crook yestercourt-martial to meet at Fort Crook yester-day for the trial of such persons as may be preperly brought before it. The detail of the court follows: Captain Benjamin Callockwood, Captain Alfred C. Sharpe, Captain Theodore Mosher, Captain Frank B. Jones, First Lieutenant Edward O. C. Ord, First Lieutenant Tredwell W. Moore, First Lieutenant Tredwell W. Moore, First Lieutenant George J. Godfrey, First Lieutenant Harold L. Jackson, Second Lieutenant Orrin R. Wolfe, Second Lieutenant Frederlick W. Lewis. Second Lieutenant Prederlick W. Lewis. Second Lieutenant David S. Stanley will act as judge advocate of the court. All of the officers are from the Twenty-second infantry

At the regular meeting of Bohemian lodge No. 314 of the Ancient Order of Worwmen last night, Past Master Workman Frank W. Bandhauer was presented
with a magnificent past master's badge as
a testimonial of the esteem of his fellow
workmen. The badge is a beautiful design
in blue and gold. The name of the recipient is engraved on the bar and the pendant bears on one side the insignia of the
order and on the other the date of the
presentation. The gift was a complete surprise to Mr. Bandhauer, who expressed his
appreciation with much feeling. Worwmen last night, Past Master Work-

Union Against Councilmen.

Mayor Moores has so far given no intimation of his intentions in regard to the appointment of a plumbing inspector, and there is a hot fight between W. G. Higgins and J. W. Rose for the job. Higgins se-cured the endorsement of the Plumbers union, but Rose has a powerful backing, which includes a number of councilmon and several politicians of more than local promi-nence. Inspector Clausen's resignation takes effect next Wednesday and the ap-pointment will probably be made Tuesday night.